REMARKS

This responds to the Final Office Action dated September 19, 2007 (hereinafter "the Office Action"). Claims 16-26 and 31-38 are pending in this application. The response includes a proposed amendment to the specification. Applicant believes the specification was changed in a manner, indicated in the Office Action, sufficient to remove the objection. Applicant requests entry of the amendment to the specification under 37 C.F.R. § 1.116.

Specification

Paragraph 28 was corrected to correspond to FIG. 3. Applicant respectfully requests withdrawal of the objection.

§102 Rejection of the Claims

Claims 16, 21, 23-25 were rejected under 35 U.S.C. § 102(b) for anticipation by Cseri et al. (US 2003/0046317 A1, "Cseri"). Applicant respectfully traverses. The Office Action fails to establish a proper *prima facie* case of anticipation because Cseri fails to teach some of the elements recited or incorporated into the claims.

Applicant cannot find in Cseri any disclosure of, among other things,

> an XML document processing module, including a compression module configured to compress XML documents and to convert compressed XML documents into text so as to form compressed valid XML documents,

as recited in claim 16 and incorporated into claims 21 and 23-25.

It is asserted in the Office Action that Cseri teaches compressing XML documents by tokenizing the XML document to produce an XML binary formatted document and converting the XML binary formatted document to an XML document for displaying to a user computer.[1]

However, Cseri states that "XML module 210b may be utilized as a means for converting the XML document from a text document to the binary format of the present invention,"[2] and also that the tokenizer 210b ... tokenizes the document 240 producing XML binary formatted

[1] Office Action, pg. 3.
[2] Cseri, ¶0063.

document 250 at 440.[3] Thus, because Cseri uses a binary format, Cseri does not teach or even suggest "a compression module configured to compress XML documents and to convert compressed XML documents into text so as to form compressed valid XML documents" as recited in claim 16.

Further, Cseri states that "binary formatting minimizes parsing time and the generation of overhead incident to the formatting and parsing of data,"[4] and that "binary as utilized herein is in contradistinction to ASCII, or text based character representations."[5] Therefore, Cseri teaches away from the claimed subject matter.

Applicant respectfully requests withdrawal of the rejection and allowance of claims 16, 21, 23-25. For brevity, Applicant defers but reserves the right to present further remarks, such as concerning the dependent claims, which are believed separately patentable based upon their additional language.

§103 Rejection of the Claims

1. Claim 17 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Cseri as applied to claim 16 above, and further in view of Girardot et al. (US 2003/0023628 A1, "Girardot"). Applicant respectfully traverses the rejection.

Claim 17 depends on base claim 16. The Office Action fails to establish a proper *prima facie* case of obviousness because, for example,

> an XML document processing module, including a compression module configured to compress XML documents and to convert compressed XML documents into text so as to form compressed valid XML documents,

as incorporated into claim 17 from base claim 16, is not shown in any of the cited references.

Further, The M.P.E.P. states that Graham v. John Deere Co. should be followed in the consideration and determination of obviousness under 35 U.S.C. § 103. The factual inquiries enunciated in Graham include ascertaining the differences between the prior art and the claims at issue.[6] Ascertaining the difference between the prior art and the claims at issue includes

[3] Cseri, ¶0066.
[4] Cseri, Abstract.
[5] Cseri, ¶0155.
[6] M.P.E.P. § 2141.

considering a reference in its entirety, including disclosures that teach away from the claimed invention.[7] As set forth above, Cseri teaches away from the subject matter incorporated into claim 17.

Applicant respectfully requests withdrawal of the rejection and allowance of claim 17.

2. Claims 18-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cseri and Girardot as applied to claim 17 above, and further in view of Tycksen, Jr. et al. (US 6,189,097 B1, "Tycksen"). Applicant respectfully traverses the rejection.

The proposed combination of Cseri, Girardot and Tycksen fails to describe or suggest a "compression module [that] includes a binary to ASCII text encoding algorithm," for example, such as described and claimed by Applicant in claim 18.

Additionally, claims 18 and 19 ultimately depend on base claim 16. As set forth above, Applicant believes base claim 16 to be allowable at least for the reason that Cseri fails to describe or suggest some of the elements of the base claim.

Tycksen relates to Digital Certificates,[8] and refers to text-based content being "treated just as a text-based object but indicated as a binary-based object in the formatting provided."[9] Therefore, because objects are indicated as binary objects, Tycksen does not describe or suggest, "a compression module to compress XML documents into compressed valid XML documents," as recited in base claim 16.

Further, the differences in the references would have made it unlikely that one of ordinary skill at the time of the invention would look to combine Tycksen with Cseri. Cseri states that the XML binary format of its present invention minimizes the parsing and generation of overhead in connection with XML documents.[10] Tycksen refers to where binary content is converted to the ASCII code set and that the size of the binary content will increase.[11] Thus, the conversion of binary content in Tycksen would frustrate the minimizing referred to in Cseri.

Applicant respectfully requests reconsideration and allowance of claims 18 and 19.

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[7] M.P.E.P. §2141.02.
[8] Tycksen, Abstract.
[9] Tycksen, col. 9 lines 16-21.
[10] Cseri, ¶0014.
[11] Tycksen, col. 9 lines 9-11.

3. Claims 20, 31-35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cseri as applied to claim 16 above, and further in view of Sullivan (US 7,007,105). Applicant respectfully traverses. The proposed combination of Cseri and Sullivan fails to establish a proper *prima facie* case of obviousness because, for example,

> a compression module configured to compress XML documents and to convert compressed XML documents into text so as to form compressed valid XML documents,

as recited in base claims 16 and 31 and incorporated into dependent claims 20 and 32-35 is not shown in any of the cited references. In another example, a decompression module to decompress compressed valid XML documents as recited in claim 20 and similarly recited in claim 31 is not shown in any of the cited references.

Sullivan describes transmitting a compressed string of binary information. Systems receiving this binary representation decompress the binary stream.[12] Thus, Sullivan refers to transmitting binary information. As set forth above, Cseri uses a binary format and teaches away from a compression module to convert compressed XML documents into text. Therefore, the proposed combination of Cseri and Sullivan fails to teach or suggest some of the elements recited or incorporated into the claims and Cseri actually teaches away from the claimed subject matter.

Further, one of ordinary skill at the time of the invention would not have reasonably looked to combine Cseri with Sullivan. Sullivan describes transmitting a compressed string of binary information. Systems receiving this binary representation decompress the binary stream.[13] Cseri states that the XML binary format of [its] present invention minimizes the parsing and generation of overhead in connection with XML documents, and that [its] present invention provides a means for taking an arbitrary well-formed XML document in a text format, a means for converting it into a binary format, and a means for converting the document back to the text format without a loss of fidelity.[14] One of ordinary skill in the art at the time of the invention claimed would not have reasonably combined the compression of Sullivan to solve a problem

[12] Sullivan, col. 4 lines 60-63.
[13] Sullivan, col. 4 lines 60-63.
[14] Cseri, ¶0014.

already solved by the binary formatting of Cseri. Further, adding the compression of Sullivan would add overhead to the documents of Cseri.

Applicant respectfully requests withdrawal of the rejection and allowance of claims 20, 31-35.

4. Claim 22 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Cseri as applied to claim 16 above, and further in view of Ma et al. (US 2005/0063575 A1, "Ma"). Applicant respectfully traverses the rejection.

Claim 22 depends on base claim 16. The Office Action fails to establish a proper *prima facie* case of obviousness because, for example,

> a compression module configured to compress XML documents and to convert compressed XML documents into text so as to form compressed valid XML documents,

as incorporated into claim 22 from base claim 16 is not shown in any of the cited references.

Applicant respectfully requests withdrawal of the rejection and allowance of claim 22.

5. Claim 34 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Cseri and Sullivan as applied to claim 31 above, and further in view of Ma. Applicant respectfully traverses the rejection.

Claim 34 depends on base claim 34. The Office Action fails to establish a proper *prima facie* case of obviousness because, for example,

> a compression module configured to compress XML documents and to convert compressed XML documents into text so as to form compressed valid XML documents,

as incorporated into claim 34 from base claim 31 is not shown in any of the cited references.

Applicant respectfully requests withdrawal of the rejection and allowance of claim 34.

6. Claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Cseri as applied to claim 16 above, and further in view of Hsu et al. (US 2004/0205158, "Hsu"). Applicant respectfully traverses the rejection.

Claim 26 ultimately depends on base claim 16. The Office Action fails to establish a *prima facie* case of obviousness because, for example,

> a compression module configured to compress XML documents and to convert compressed XML documents into text so as to form compressed valid XML documents,

as incorporated into claim 26 from base claim 16 is not shown in any of the cited references.

Applicant respectfully requests withdrawal of the rejection and allowance of claim 26.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney 612-371-2172 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date Nov. 16, 2007

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